

18

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN THE MATTER OF THE PETITION OF

VERLIN ALEXANDER

NO. 07-CV-1, JJF civil Action

THE DISTRICT OF DELAWARE,

THE PETITIONER, VERLIN ALEXANDER SUBMITS THIS
MEMORANDUM IN SUPPORT OF HIS PETITION FOR WRIT OF
HABEAS CORPUS. THE PETITIONER STATES THE FOLLOWING IN
SUPPORT:

1- THE CRIMINAL ACTION NUMBER IN THIS CASE IS:
0511011555

2- PETITIONER IS BEING UNLAWFULLY RESTRAINED OF HIS
LIBERTY, IN VIOLATION OF THE LAWS OF THE DISTRICT OF
DELAWARE, BY REASON OF:

ON DECEMBER 20, 2005, PETITIONER TURNED HIS SELF INTO
PHILADELPHIA, PA. POLICE FOR A WARRANT ISSUED FOR HIM
OUT OF THE DISTRICT OF DELAWARE. PENNSYLVANIA HOLD
PETITIONER FOR (90) NINETY DAY'S, AFTER PETITIONER DID SIGN
WAIVER FOR DELAWARE TO EXTRADIT HIM. PETITIONER WENT TO
COURT EVERY (30) THIRTY DAY'S AND ON THE 90TH DAY
PENNSYLVANIA DID RELEASE PETITIONER, DUE TO DELAWARE'S

REFUSAL TO COME WITH ANY KIND OF EXTRADITION PAPERS / DOCUMENT FOR PETITIONER; KNOWING AT ALL TIMES WHERE PETITIONER WAS AND RESIDED. BUT, ON OCTOBER 26, 2006, THE U.S. MARSHAL'S TASK FORCE, CAME TO PHILADELPHIA, PENNSYLVANIA, WITHOUT ANY PENNSYLVANIA OFFICIAL'S / AGENT'S TO THE PETITIONER'S HOME, 1342 FOULKERD STREET, APT. #5, PHILA., PA. ARRESTED PETITIONER ON SAME CHARGE THAT THE STATE OF DELAWARE REFUSED TO EXTRADIT PETITIONER ON BETWEEN DECEMBER 20, 2005 AND MARCH 20, 2006; PLUS THE U.S. MARSHAL DID NOT EVER PRESENT / SHOW THE DEFENDANT / PETITIONER A WARRANT OF ANY KIND TO THE PETITIONER OR PETITIONER'S GIRLFRIEND, WHO'S APARTMENT IT WAS. IN ALL, THIS CAUSING A (1) ONE YEAR, PLUS DELAY IN BRING PETITIONER TO TRIAL UNDER THE SIXTH AMENDMENT OF THE UNITED STATES CONSTITUTION. PLUS, DELAWARE VIOLATED THE TERM'S OF THE UNIFORM CRIMINAL EXTRADITION ACT, BY EXTRADITING PETITIONER UNTIMELY ON OCTOBER 26, 2006; AFTER MAKING THEIR (DELAWARE) FIRST REQUISITION FOR PETITIONER IN DECEMBER 2005 AND FAILING TO PROCEED WITH TRANSPORTING AND TRYING THE PETITIONER AND ALSO WAS IN KNOWING VIOLATION OF SAID EXTRADITION ACT WHEN DELAWARE MADE THEIR SECOND REQUISITION IN OCTOBER 2006. DELAWARE DID FILE WARRANT ON / OR ABOUT DECEMBER 15, 2005; BUT DID NOT SOUGHT TO PERFECT THEIR RIGHT TO OBTAIN THE PETITIONER. IN ADDITION VIOLATING THE DETAINEE'S STATUS AND TO

BRING THE CASE TO TRIAL IN OVER (15) FIFTEEN MONTH'S, WHICH VIOLATED PETITIONER'S SPEEDY TRIAL RIGHTS, TO THE EXTENT TO WHICH THE EVENT CAUSING THE DELAY WAS WITHIN THE CONTROL OF THE STATE OF DELAWARE AND THE STATE OF DELAWARE WAS AT FAULT IN CAUSING THE DELAY. PETITIONER ALSO ASS-TS, THAT THE STATE OF DELAWARE CAUSED A (18) EIGHTEEN MONTH DELAY IN BRINGING PETITIONER TO TRIAL; (3) THREE MONTH'S IN PHILADELPHIA, PA. DETENTION CENTER, AWAITING EXTRADITION, IN WHICH DELAWARE REFUSED TO TRANSPORT PETITIONER. DELAWARE HAD EVERY ADVANTAGE TO SEEK ALL KIND'S OF WARRANT'S FOR THE PETITIONER, INCLUDING A GOVERNOR'S WARRANT, WHICH DELAWARE ALSO REFUSED TO AGREE TO; AS/SO PHILADELPHIA DETENTION CENTER, REFUSED TO HOLD PETITIONER ANY LONGER THAN THE (90) NINETY DAY'S THAT THEY DID HOLD PETITIONER; SO PHILADELPHIA, PA. DETENTION CENTER RELEASED THE PETITIONER AFTER PETITIONER SERVED (90) NINETY DAY'S. ALSO, (7) SEVEN MONTH'S AT PETITIONER'S RESIDENCE, 1342 FOULKROD ST., APT. #5, PHILADELPHIA, PA. 19124 AND (8) EIGHT MONTH'S IN H. R. Y. C. I., WITH NO RESPONSE WHATSOEVER FROM MR. DAVID D. WARB, MY PUBLIC DEFENDER TO THESE FACT'S AS REQUESTED BY PETITIONER / DEFENDANT, IN SEVERAL DOCUMENT'S WHICH WERE DRAWN UP BY THE PETITIONER AND SENT TO MR. WARB AND SEVERAL OTHER DELAWARE'S COURT OFFICIAL'S, SINCE DECEMBER 13, 2005 THRU JUNE 15, 2007, INCLUDING SEVERAL REQUEST'S FOR MR. WARB'S ASSISTANCE TO

NO AVAL; PLUS FOR PETITIONER TO GO PRO-SE. ALL DOCUMENTS SENT IN BY THE PETITIONER ARE ON FILE IN THE PROTHONOTARY'S OFFICE, OR /AND IN THE PETITIONER'S POSSESSION FOR REVIEW AND ALSO DOCUMENTS WERE SENT TO SEVERAL OTHER OFFICIALS REPRESENTING THE STATE OF DELAWARE; LIKE JOSEPH R. BIDEN, III ATTORNEY GENERAL OF DELAWARE; DEPUTY ATTORNEY GENERAL DONALD R. ROBERTS, ETC. AND STILL TO THIS DAY I HAVE NOT GOTTEN ANY RESPONSE FROM ANY DOCUMENTS THAT PETITIONER HAS SENT TO ANYONE, ABOUT ANYTHING CONCERNING THIS CASE, ESPECIALLY IN /OR ABOUT THE POSSIBILITY THAT THE PETITIONER WAS ILLEGALLY ARRESTED AND TRANSPORTED ACROSS THE STATE LINE.

YOUR HONOR, JUDGE JOSEPH J. FARNAN, JR., YOU SIR, ON THIS MATTER OF THE HABEAS CORPUS DOCUMENT, WHICH WAS SUBMITTED ON AND SERVED ON MARCH 23, 2007 TO BE ANSWERED BY MAY 7, 2007, WHICH GOT EXTENDED TO MAY 30, 2007, WHICH GOT EXTENDED AGAIN TO JUNE 15, 2007.

SIR, YOU ARE THE ONLY ONE TO RESPOND TO ANY OF THE DOCUMENTS THAT I SUBMITTED AND I APPRECIATE YOUR JUSTICE, SIR.

PLEASE, REVIEW THIS MATTER OF THE ABOVE MENTIONED CASE, WHICH YOU SIR, GAVE THE RESPONDENT'S, AS YOU WERED, APPEAL TIME TO RESPOND TO PETITIONER'S REQUEST FOR

IMMEDIATE RESPONSE.

ALSO, ON JUNE 21, 2007, PETITIONER'S TRIAL WAS DECLARED A MISTRIAL.

WHEREFORE, THE PETITIONER PRAY'S THAT THE COURT AND HONORABLE JUDGE JOSEPH J. FARNAN, JR. WILL TAKE TIME TO READ PETITIONER'S PETITION AND GRANT THIS WRIT.

RESPECTFULLY PRESENTED

VORLIN ALEXANDER

Vorlin Alexander

B-BLDG., PRE TRIAL ANNEX,

DORM 1-7 TOP

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

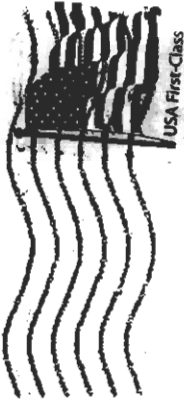
DATED: JUNE 29, 2007

AWAITING RESPONSE:

1 OF 4

IM Verlin Alexander
Harvey
SBI# 098778 UNIT Dem 1-77p
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

WILMINGTON DE 197
06 JUL 2007 PM 1 T



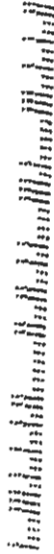
HONORABLE JUDGE JOSEPH J. FARNAN, JR.
OFFICE OF THE CLERK
U.S. DISTRICT COURT HOUSE
DISTRICT OF DELAWARE
844 NORTH KING STREET
LOCK BOX 18
WILMINGTON, DELAWARE

U.S.M.S.
X-RAY

19801

"LOCAL MAIL"

1980143513



RECEIVED
JUL 10 2007IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWAREIN THE MATTER OF THE PETITION OF
VERLIN ALEXANDERNO. 07-CV-1, JJF civil Action
2007
HABEAS CORPUS

THE DISTRICT OF DELAWARE

TO: JOSEPH R. BIDEN, III, ATTORNEY GENERAL OF DELAWARE
YOU ARE COMMANDED:TO HAVE VERLIN ALEXANDER, WHO IS ALLEGEDLY DETAINED
IN YOUR CUSTODY, BEFORE THE SUPERIOR COURT OF THE STATE
OF DELAWARE, AT THE NEW CASTLE COUNTY COURT HOUSE AT
500 NORTH KING ST., WILMINGTON, DEL. 19801.IMMEDIATELY AFTER RECEIPT OF THIS WRIT AND TO ABIDE
ANY ORDER WHICH THE COURT SHALL MAKE CONCERNING
PETITIONER.AND FURTHER, TO CERTIFY FULLY IN WRITING UNDER OATH THE
TRUE CAUSE OF VERLIN ALEXANDER DETENTION AND TO HAVE
THERE A COPY OF ALL PROCESS OR ORDER'S, IF ANY, UNDER WHICH
HE IS DETAINED AND ALSO THIS WRIT._____
PROTHONOTARY

DATED: _____

TO THE ABOVE NAMED: JOSEPH R. BIDEN, III ATTORNEY
GENERAL OF DELAWARE

IN CASE OF YOUR FAILURE TO PRODUCE VERLIN ALEXANDER
AS ABOVE COMMANDED AND FULLY CERTIFY IN WRITING
UNDER OATH THE TRUE CAUSE OF VERLIN ALEXANDER
DETENTION, WITH A COPY OF ALL PROCESS OR ORDER'S, IF ANY,
UNDER WHICH VERLIN ALEXANDER IS DETAINED WITHIN (3)
THREE DAY'S AFTER SERVICE HEREOF UPON YOU IF THE
PLACE WHERE HE IS DETAINED IS NOT MORE THAN (20) MILES
FROM THE COUNTY COURT HOUSE OR WITHIN (6) SIX DAY'S IF
SUCH PLACE IS MORE THAN (20) MILE'S, YOU MAY BE
ADJUDGED TO BE IN CONTEMPT OF COURT.

PROTHONOTARY

DISTRICT OF DELAWARE
COUNTY

} ss

_____, SHERIFF OF _____
COUNTY, DEPOSES AND SAY THAT HE/SHE SERVED
PERSONALLY UPON _____ THE
ORIGINAL WRIT OF HABEAS CORPUS OF WHICH THE
WITHIN IS A TRUE COPY, BY LEAVING THE ORIGINAL
WRIT WITH _____ ON _____
_____ 20 ____.

PROTHONOTARY